to define our invention in claims that will give us the patent protection to which we believe we are entitled. While we are acting *pro se* and are neither patent attorneys nor agents, we certainly have not, nor do we intend to, dally in the prosecution of our application, or to resort to technical or other subterfuges in order to keep the application pending before the primary examiner. We merely ask for the opportunity to address new art cited.

Specifically, in reviewing Kirsch, it describes a method of tracking access to advertising content. (Paragraph [0012], lines 5-15; paragraph [0013], lines 1-3; paragraph [0028], lines 1-3.) More specifically, a first web page contains a sub-part that is selectable content such as a selectable banner advertisement. When a viewer at a client computer selects the sub-part, a message is sent to a tracking server indicating that the sub-part has been selected, and the tracking server, using a redirect mechanism, causes content associated with the sub-part to be presented to the viewer. Using this process, the tracking server records selection of the sub-part and the delivery of the content associated with the sub-part. For example, this sub-part can be a selectable advertisement. When a viewer clicks on this advertisement, a second web page is loaded. The tracking server notes that the advertisement has been selected and this second web page (associated with the advertisement sub-part) has been loaded. (Abstract, especially lines 12-16; Paragraph [0046], especially lines 9-12; Figures 6 and 7.)

We make the following observations:

1. It is the sub-part of the first web page that contains the tracking server's location in an URL with the content identifying information. (Paragraph [0044], lines 4-6.)

2. While all viewers of the web page receive the embedded sub-part, such views are not tracked. (Paragraph [0012], lines 5-16.)

3. It is the content <u>associated with the sub-part</u> that is tracked. Such content is loaded only when the sub-part is selected. (Paragraph [0044], lines 1-3.)

Returning to our claim language, claim 47, which read:

47) A computer-implementable method for measuring access patterns of content transmitted from a server, said computer-implementable method comprising the steps of:

A) Inserting into said content a tracking identifier comprising a URL, said URL containing an information identifier, and an indication of a tracking server's location;

B) Transmitting from said server said content containing said tracking identifier to a receiving device

It describes a "computer-implementable method for measuring access patterns of content transmitted from a server, said computer-implementable method comprising the steps of inserting into said content a tracking identifier comprising a URL, said URL containing an information identifier, and an indication of a tracking server's location ..."

While claim 47 as previously presented does <u>not</u> explicitly state that the tracking identifier is used for tracking the content into which the tracking identifier is inserted, we note that our specification is clear as to this intent. (Abstract; Figure 1; Paragraph [0033], lines 6-11; Paragraph [0053], lines 1-4). This is in contrast to Kirsch in which the tracking identifier is inserted not into the content being tracked, but into other content, the

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selection of which causes the tracked content to be loaded. This is the important distinction.

In response, to clarify our invention and to better differentiate from Kirsch, we respectfully request to amend our claim 47 to read:

47) A computer-implementable method for measuring access patterns of content transmitted from a server, said computer-implementable method comprising the steps of:

A) Inserting into said <u>transmitted</u> content a tracking identifier <u>associated with said transmitted content</u> comprising a URL, said URL containing an information identifier, and an indication of a tracking server's location;

B) Transmitting from said server said content containing said tracking identifier to a receiving device

(New, clarifying text underlined; a full listing of claims is appended at the end of this letter.)
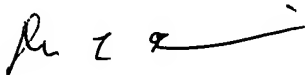
This amended claim is easily distinguishable from Kirsch where, as noted above, the tracking identifier is associated not with the transmitted content that contains the tracking identifier, but with other content associated with the sub-part. It is this associated content that is being tracked using the tracking identifier.

That is, while Kirsch does teach that "it is desirable to provide an indication of a tracking server's location in an URL with the content identifying information for tracking and redirecting clients that access interactive information/advertisements", it does not teach

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that "it is desirable to provide an indication of a tracking server's location in an URL within the content being tracked and identifying information for tracking and redirecting clients that access interactive information/advertisements." (New distinguishing language underlined.)

With that context, we respectfully request that the amended claims, 47, 58 and 69 be considered, along with the unmodified dependent claims. We believe that these amendments address all cited art and are clearly supported by our specification, and we further believe that this request is well within the letter and spirit of MPEP 706.07.

Respectfully submitted,

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